of

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,126	11/03/2003	Michael A. Lassner	200311849-1	9576

			EXAMINER
22879	7590	12/29/2005	HASSAN, AURANGZEB

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ART UNIT	PAPER NUMBER
2182	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/700,126	LASSNER, MICHAEL A.
	Examiner	Art Unit	
	Aurangzeb Hassan	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 November 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-28</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>03 November 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail. Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2.   Claims 1 – 28 are rejected under 35 U.S.C. 101 because

the claimed invention is directed to non-statutory subject matter.

3.   In reference to claims 1, 7, 10 –15, the examiner notes claims to consist of non-

statutory subject matter in the embodiment of a method and system for implementing

device regionalization thus not exemplifying one of the four statutory categories. The

language of the claim raises a question as to whether the claim is directed merely to an

abstract, since the claims do not appear to involve and hardware.

4.   In reference to claims 16 – 28 , the examiner notes reference to systems and a

driver "stored on a computer readable medium." In the specification the applicant

defines such medium in various modes one of which being "electronic" (page 8, line 10)

and according is rejected under 35 U.S.C. 101 as being non-statutory. For further

consideration the examiner also recommends modification of the initially noted phrase

to recite "computer readable storage medium."

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed
> publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6.   Claims 1 thru 28 are rejected under 35 U.S.C. 102(a) as being anticipated by

Johnson et al. (US Publication Number 2004/0212651 hereinafter "Johnson").

7.   As per claims 1, 10, 16, 21, 24 and 27 Johnson teaches a method, system,

device, and driver comprising:

identifying a region code (printer unique identifier, page 1 paragraph [0014]);

establishing a region for a device relative to the identical region code (remote

printer management system, element 200 of Figure 4, page 3, paragraph [0039-0041]);

and

presenting information to a device user about components that can be used with

the device relative to the established region (web site, element 212 of Figure 4, page 3,

paragraph [0039]).

The examiner notes that Johnson teaches a remote management system for which the

printer unique identifier, PUI, is used to connect a printer, computing device and web

site. The web site maintains and handles the region in which the printer resides.

8.   As per claims 2 and 11 Johnson teaches a method and system wherein

identifying a region code comprises reading a region code embedded into a device

component (PUI, element 14 of figure 1, page 1, paragraph [0014 - 0015]).

Johnson teaches the PUI to uniquely identify the printer and is stored in the memory of

the printer component.

9.   As per claim 3 Johnson teaches a method wherein identifying a region code

comprises reading a region code embedded into a print cartridge that is installed within

the device (ink jet cartridge, page 3, paragraph [0030]).

10.   As per claim 4 Johnson teaches a method wherein establishing a region

comprises storing the identification region code in device memory (memory, element 13

of figure 2, page 2, paragraph [0020]).

11.   As per claims 5, 14, 17, 22 and 25 Johnson teaches a method, system and

device wherein establishing a region further comprises locking the region code for the

device (page 2, paragraph [0017]).

Johnson teaches utilization of a locking feature in a multifaceted approach in regards to

component locking that is unit specific.

12.   As per claims 6, 15, 18, 23 and 26 Johnson teaches a method, system and

device wherein locking the region code comprises determining the number of pages that

have been printed by the device and locking the region code if the number of pages

reaches a predetermined threshold (page 3, paragraph [0030].

Johnson teaches ink level monitoring in order to properly recognize depletion of ink on a

number of printed pages and incorporates a locking mechanism.

13.   As per claims 7 and 28 Johnson teaches a method and device wherein

presenting information comprises providing the region code to a user computer

(computing device, element 30 of figure 2, page 3, and paragraphs [0038-0041].

14.   As per claims 8, 13 and 20 Johnson teaches a method and system wherein

presenting information further comprises accessing a database that cross-references

the region code with components available for the device so as to limit presentation to

information concerning components intended for use in the established region (printer

component monitor, element 46 of figure 2, paragraphs [0016 & 0025]).

Johnson teaches a comparison of the PUI versus the one stored in database memory of

a printer component. The printer component monitor manages the printer components

and PUI's don't match the use is limited. Application over a larger region is included

through the access of web site through a computing device.

15.   As per claims 9, 12 and 19 Johnson teaches a method and system wherein

providing the region code comprises providing the region code to a device driver that

executes on the user computer and wherein accessing a database comprises accessing

the database with the device driver (printer driver, element 104 of figure 2, page 3,

paragraph [0032]).

16.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Aurangzeb Hassan whose telephone number is

(571)272-8625. The examiner can normally be reached on Monday - Friday 9 AM to

5:30 PM.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

KIM HUYNH
PRIMARY EXAMINER